

**REMARKS**

Claims 17 and 23-27 remain pending after amendment.

**Claim Amendments**

By this amendment, claim 30 is cancelled. Claim 1 is amended to more clearly define the claimed invention. Support for the amendment of claim 1 resides at page 91, lines 14-19 of the specification, as well as the Examples. No new matter is added by this amendment.

**Rejection of Claims 17, 23-27 and 30 under 35 U.S.C. 112 (paragraph one)**

Claims 17, 23-27 and 30 were rejected under 35 U.S.C. 112, paragraph one, for reasons set forth on pages 2-3 of the Office Action. This rejection is respectfully traversed.

In response, claim 30 is cancelled. Insofar as the limitations which form the basis of the rejection reside solely in claim 30, and insofar as claim 30 is cancelled by this amendment, the rejection is moot and should be withdrawn.

**Rejection of Claim 30 under 35 U.S.C. §112 (paragraph two)**

Claim 30 stands rejected under 35 USC 112 (paragraph two) as not distinctly claiming the invention. This rejection is respectfully traversed.

In response, claim 30 is cancelled. The rejection is thus moot and should be withdrawn.

**Rejection of Claims 17-22 and 25-29 under 35 U.S.C. §103(a)**

Claims 17-22 and 25-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over either Takeuchi or Nakamura in view of the combination of Cerquone and EP '196 and Shoei.

In support of the rejection, the Examiner takes the position at page 6 of the Action that "It would have been obvious to use the phenol compound as reducing agent for silver ion including a known bisphenol reducing agent EP '196 combination with the color developer taught in either Takeuchi or Nakamura with an expectation of producing to produce a material having desired dye image." This rejection is respectfully traversed.

In response, claim 17 is amended to recite the limitation "an image can be formed by only a single sheet of the photothermographic material without any functional layer constituting a separate member". It is believed that this amendment of claim 17 patentably distinguishes over the cited prior art.

Applicants note that the only reference which discloses a photosensitive material capable of forming an image by only a single sheet of the photosensitive material is the EP '196 reference.

Takeuchi states at column 86, lines 32-42 that "Warm water at 40°C was applied to the surface of the thus exposed light-sensitive materials, in an amount of 15 ml/m<sup>2</sup>, and then after each processing sheet (image-receiving material) and each film surface were brought together, they were subjected to heat development at 80°C for 30 sec using a heat drum. After the processing, when the image-receiving material was removed, cyan, magenta, and yellow color

images were obtained clearly on the side of the light-sensitive material corresponding to the filters used for the exposure." (emphasis added).

Nakamura et al states at column 131, lines 31-38 that "Warm water at 40°C was applied to each surface of the exposed light-sensitive materials, in an amount of 15 ml/m<sup>2</sup>; the light-sensitive material and the processing sheet were put together with the coated surfaces in contact with each other; they were heated at 83°C for 30 sec using a heat drum, to carry out heat development. After the processing, the image-receiving material was peeled off, to obtain respectively bright cyan, magenta, and yellow color images on the side of the light-sensitive material, which images correspond to each filter used to exposure." (emphasis added).

Cerquone et al states at column 15, lines 17-55 that "The photothermographic element was permitted to cool and then laminated to a methanol moistened mordant image receiver. The image receiver used was a transparent poly(ethylene terephthalate) film support coated respectively with a dye mordant layer and then a layer of titanium dioxide. The photothermographic element was permitted to remain in contact with the image receiver for 30 seconds without heating the combination." (emphasis added).

Shoei et al states at column 74, lines 51-64 that "An image-receiving member (1) was prepared by coating a tetrahydrofuran solution of polyvinyl chloride (n=1,100; product of Wako Pure Chemical Industries, Ltd.) on photographic baryta paper to attain a polyvinyl chloride deposit of 12 g/m<sup>2</sup>. Each of the heat-developable light-sensitive materials previously prepared was given an exposure of 1,600 C.M.S. through a step wedge, superposed on the image-receiving member, and thermally developed at 150°C for 1 minute in a thermal developer (Developer Module 277 of 3M). Immediately thereafter, the light-sensitive material was stripped

from the image-receiving member, which had carried a negative image of magenta color."

(emphasis added).

EP '196 discloses a single-sheet image-formation type of the photosensitive material. The Examiner states on page 6 of the Action that it would have been obvious to use the phenol compound as reducing agent for silver ion including a known bisphenol reducing agent of EP '186 in combination with the color developer taught in either Takeuchi or Nakamura et al with an expectation of producing to produce a material having desired dye image. Applicants disagree with the position of the Examiner.

As explained above, Takeuchi and Nakamura et al are directed to a *two-sheet* image-formation system, whereas EP '196 is directed to a *single-sheet* image-formation system. Takeuchi and Nakamura require dye transfer, whereas EP '106 requires suppression of dye transfer. These systems are totally different from each other. One of ordinary skill in the art would not be motivated to combine the noted references directed to *two-sheet* image-formation system with a reference directed to *single-sheet* image-formation system.

Furthermore, Takeuchi and Nakamura et al both fail to disclose the claimed compounds represented by formula (2) of pending claim 17. At page 5 of the Action, the Examiner makes specific reference to compounds I-21 and I-22 of Takeuchi, stating that these compounds contain a quinazoline group,  $-(C=O)-NH-$ , as well as an alkyl or aryl group having more than one carbon atom.

The Examiner appears to believe that the noted compounds I-21 and I-22 fall within the claimed formula (2). This is incorrect. The compound I-21 does not have "a quinazoline group", and the compound I-22 does not have "an aryl group having 1-10 carbon atoms", or "an alkyl

group" as R<sup>11</sup>. Thus, Takeuchi fails to disclose the claimed compound represented by the formula (2).

At page 5 of the Action, the Examiner makes specific reference to compounds (37) and (43) in Nakamura et al. These compounds do not have "an aryl group having 1-10 carbon atoms" or "an alkyl group" as R<sup>11</sup>. Nakamura et al accordingly also fails to disclose the claimed compound represented by the formula (2).

The compounds represented by the claimed formula (2) are also not disclosed in the other references – i.e., either EP '196, Cerquone et al or Shoei et al.

None of the cited references relied upon by the Examiner would therefore motivate a person skilled in the art to specifically select the compounds represented by the claimed formula (2) for use in a single-sheet image-formation system. Even if so motivated, a person skilled in the art would not be able to predict that the claimed invention exerts the remarkable effects set forth in the specification.

The rejection is thus without basis and should be withdrawn.

**Rejection of Claims 23-24 under 35 U.S.C. §103(a)**

Claims 23-24 stand rejected under 35 USC 103(a) as being unpatentable over Takeuchi or Nakamura et al in view of JP '934. This rejection is respectfully traversed.

The deficiencies of Takeuchi and Nakamura et al are discussed at length above. The additional citation of JP '934 does not cure those deficiencies. The rejection is thus moot and should be withdrawn.

**Rejection of Claim 30 under 35 U.S.C. §103(a)**

Claim 30 stands rejected under 35 USC 103(a) as being unpatentable over Takeuchi or Nakamura et al in view of Cerquone et al, EP '196 and Shoei et al. This rejection is respectfully traversed.

In response, claim 30 is cancelled. The rejection is thus moot and should be withdrawn.

In view of the above, the application is now believed to be in condition for allowance. An early indication of same earnestly is solicited.

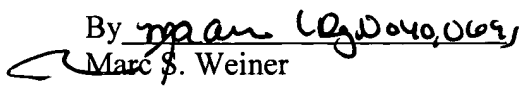
A check in the amount of \$1020.00 is attached as payment for the requested three month extension of time.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard Gallagher (Reg. No. 28,781) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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